

## **Judge Brown's Procedures**

### **Continuances**

A request for continuance **must be in writing** and must be filed prior to the hearing with a copy delivered to chambers. Unless Judge Brown authorizes a continuance in advance of the hearing, the matter will be called on the date and time set.

### **Settlements and Hearing Attendance**

If a matter set for hearing has been settled, counsel must appear at the hearing and announce the details of the settlement or submit an agreed order when the case is called in court containing the terms of the settlement signed by all of the parties in interest. As soon as settlement is reached, counsel should notify the case manager of the settlement to allow for efficient management of court time and courtroom personnel. Where applicable, a motion to compromise controversy shall be timely filed and noticed within ten days after the hearing at which settlement was announced.

In adversary proceedings, if a final judgment has not been submitted within one month after an order approving compromise of controversy has been entered, the court will issue a show cause for dismissal of the adversary proceeding.

### **Discovery**

Motions to quash discovery and to compel discovery may be considered by Judge Brown on an emergency basis with or without a hearing or in some cases by telephone conference. For those matters suited to disposition by telephone conference, Judge Brown's secretary will contact the moving party.

Motions to extend discovery deadlines shall be filed no later than 20 days prior to the deadline sought to be extended unless an emergency is shown.

### **Hearing Attendance by Telephone**

Attendance at hearings set on complex chapter 11 cases may be made via the "meet-me-line." Parties may call the meet-me-line, 713-250-5622, with or without advance notice to the Court. The line is called by the Court for every complex chapter 11 case hearing.

Attendance at any other hearing via the meet-me-line must be approved in advance by Judge Brown and arranged with the courtroom deputy. Without Judge Brown's approval and arrangements with the courtroom deputy, the meet-me-line will not be accessed by the Court at the time the hearing is called in the courtroom.

Parties who choose to participate in a hearing via the meet-me-line do so at the risk of technological failure; the hearing will proceed regardless of such failure. Telephone participation is a privilege which either counsel or a party may forfeit by discourteous conduct.

### **Emergencies**

Emergency matters are considered only on written motion. Courtesy copies of emergency pleadings must be delivered to chambers. Settings of emergency hearings are done in the manner described below for all hearings set by Judge Brown's case manager.

## Correspondence

Do not request action on any case matter or attempt to inform the Court of case issues by letter. Any requests or information concerning cases must be set out in a pleading filed with Intake and served on all parties as required by local and federal rules.

## Appearances

An attorney appearing at a hearing shall be familiar with the case, have authority to bind the client, and be in charge of the case for that appearance.

## Motions Older than 45 Days

If you do not have an order or a hearing setting within 45 days from the date of the filing of your motion, you may resubmit the proposed order as an email attachment to the attention of Judge Brown's case manager at [cmA487@www.txs.uscourts.gov](mailto:cmA487@www.txs.uscourts.gov).

## Chapter 13 Post-confirmation Fee Applications

Proposed orders on chapter 13 post-confirmation fee applications shall be submitted as an email attachment to Judge Brown's case manager. Orders shall be submitted no earlier than 30 days after the filing of the post-confirmation fee application and only if the fee application has not been set for hearing. If you submit your order prior to 30 days from the date of filing your fee application your order will be deleted and not submitted to Judge Brown for signature.

## Hearing Settings

Do not contact the court's staff for hearing settings unless directed to do so by Judge Brown. Hearings are set by using the self-calendaring procedure described below, or at Judge Brown's discretion. If Judge Brown sets a hearing, her case manager will contact the moving party who shall then notify all parties in interest of the setting and file a certificate of service. All settings are shown on Judge Brown's calendar at [www.txs.uscourts.gov](http://www.txs.uscourts.gov) and on the case docket sheet. Go to the Complex Chapter 11 Information link for instructions on setting complex chapter 11 case hearings.

## Self-calendared Hearings

Attorneys shall set hearings for miscellaneous motions described below, motions for relief from stay, objections to claims, fee applications in chapters 7 and 11, and initial status hearings in adversary proceedings in accordance with the procedures listed below. Display your selected hearing date prominently on the first page of the pleading. **SEND NOTICE OF YOUR SELECTED HEARING DATE TO JUDGE BROWN'S CASE MANAGER, MAUREEN BRYAN, IDENTIFYING THE CASE NUMBER, THE PARTIES, THE MATTER SET, AND THE SELECTED HEARING DATE.** You may send notice to Maureen Bryan by email at [cmA487@www.txs.uscourts.gov](mailto:cmA487@www.txs.uscourts.gov).

## Miscellaneous Motions

Counsel may set for hearing all **electronically-filed** pleadings requiring less than 30 minutes of court time in adversary proceedings, chapter 7 main cases, and in non-complex chapter 11 main cases, **EXCEPT**:

- pleadings for which a hearing setting process is otherwise provided on Judge Brown's webpage
- pleadings in a chapter 13 or complex chapter 11 main case
- motions for summary judgment
- disclosure statements

plan confirmation  
expedited motions

Miscellaneous motions shall be set for the dates and times shown on Judge Brown's webpage. You must serve notice of your motion and hearing date in accordance with applicable federal and local rules and file a certificate of service. Once your motion is set using the self-calendaring procedure, continuances may be granted only by written motion and court order. **If your setting fails to comply with these instructions, applicable notice requirements, or you fail to appear for your setting, your motion may be dismissed.** At the Court's discretion, your motion may be reset by Judge Brown's case manager, in which event you will be contacted to serve another notice of hearing.

### **Motions for Relief From Stay**

All 362 preliminary hearings are held on Wednesdays at 9:00 a.m. in Courtroom 10A, 515 Rusk, Houston, TX 77002. Select your preliminary hearing date from the chart displayed on Judge Brown's webpage.

You must send a copy of your motion and notice of this hearing date, time, and location to all entities required in Bankruptcy Local Rule 4001 within 24 hours of the filing of your motion and file a certificate of service. The notice of hearing and the certificate of service may be contained in the body of your motion in lieu of utilizing BLR Appendix G and H (the "bluesheet", local form 5). The thirty day limit of section 362(e) begins to run only when the motion is filed and served in accordance with this rule.

Responses to motions for relief from stay must be filed no later than 5 days prior to the hearing date and must identify (1) the grounds for opposition to the motion; (2) your interest in the property; (3) the provable value of the property and equity after deduction of all encumbrances.

Failure of movant to appear at the preliminary or final hearing is grounds for dismissal of the motion. Agreed orders, default orders, or orders withdrawing the motion must be submitted in court when the hearing is called.

Evidentiary hearings on motions called at the preliminary hearing docket will be heard beginning at 10:00 a.m. the day of the preliminary hearing. Parties must exchange exhibits and a witness list at least 2 working days prior to the hearing. Contact Judge Brown's case manager if your hearing will require more than 1 hour.

### **Objections to Claims**

All initial hearings on claim objections are held beginning at 2:00 p.m. in Courtroom 10A, 515 Rusk, Houston, TX 77002. Select your initial hearing date from the chart displayed on Judge Brown's webpage.

You must send a copy of your objection and notice of this hearing date, time, and location to the claimant, the debtor, debtor's attorney and the trustee at least 30 days prior to the hearing and file a certificate of service.

Responses must be filed and served on the objecting entity no later than 5 working days prior to the initial hearing.

Failure of either party to appear in prosecution or defense of the objection is grounds for summary disposition of the objection. Agreed orders must be submitted in court when the hearing is called. Evidentiary hearings will be scheduled by the Court when the initial hearing is called. Exhibits and a witness list must be exchanged at least 2 working days prior to the evidentiary hearing date.

### **Adversary Proceedings, Initial Status Hearing**



Total Professional Service Fees Sought:		_____
		_____
Total Hours expended:		_____
		_____
Professional rates:	high:	_____
		_____
	low:	_____
		_____
Staff rates:	high:	_____
		_____
	low:	_____
		_____
Blended hourly rate sought:		_____
		_____
Total Expenses sought:		_____
		_____
		_____
Retainer amount:		_____
		_____
Prior applications, dates, amounts:		_____
		_____
This is an:	interim/final application:	_____
		_____

### **Bankruptcy Information**

**Copies of orders, pleadings, and docket sheets** - call 713-236-0903.

**Tapes or transcripts of hearings** - call 713-250-5404.

**Discharge orders** - contact 713-250-5156.

**General questions** - call 713-250-5115.

**Additional help** - call Nathan Ochsner, operations manager, 713-250-5146 or Vanna Hulsey, operations manager, 713-250-5530.

**Docket sheet and case file** - may be reviewed at Bankruptcy Intake, 1<sup>st</sup> floor, 515 Rusk, 713-250-5150.

**Hearing settings** - may be verified by reviewing the docket sheet and Judge Brown's court calendar at [www.txs.uscourts.gov](http://www.txs.uscourts.gov).

**Local rules, general orders, etc.** - may be obtained from the Court's website at [www.txs.uscourts.gov](http://www.txs.uscourts.gov).